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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its fourteenth session*

Note by the Secretariat

The Secretariat has the honour to transmit the report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its fourteenth session from 5 to 14 October 2016. The report was prepared pursuant to Council resolution 34/34.

* The present report was submitted after the deadline in order to reflect the most recent developments.

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Report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on its fourteenth session

I. Introduction

1. The present report is submitted by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action in accordance with Human Rights Council resolution 34/34.

II. Organization of the session

2. The Working Group held its fourteenth session from 5 to 14 October 2016. Participants discussed and shared views on the state of racial discrimination worldwide, and measures to enhance the effectiveness of the follow-up mechanism to the Durban Declaration and Programme of Action and to ensure better synergies in the work of those mechanisms. The Working Group reviewed the progress achieved on the programme of activities for the implementation of the International Decade for People of African Descent and on the implementation of recommendations adopted at its previous session. Experts' presentations were followed by interactive discussions. The Working Group adopted conclusions and recommendations on the above-mentioned themes.

A. Attendance

3. The session was attended by representatives of States Members of the United Nations, observers from non-member States and observers from intergovernmental and non-governmental organizations.

4. Under items 5 and 6 of the programme of work, presentations were made by Ricardo Sunga III, Chair of the Working Group of Experts on People of African Descent, and two members of the group of independent eminent experts, Hanna Suchocka and Edna Maria Santos Roland.

5. Under item 9 of the programme of work, presentations were made by: Julia Suárez Cabrera, Director of Legislative Analysis and International Affairs at the National Council for the Prevention of Discrimination of Mexico; Rokhaya Diallo, writer and film director; Myriam Cottias, historian; and Michael McEachrane, scholar and activist in the area of human rights and anti-racism.

B. Opening of the session and election of the Chair-Rapporteur

6. The Permanent Representative of Sierra Leone to the United Nations Office and other international organizations in Geneva, Yvette Stevens, was elected Chair-Rapporteur by acclamation.

C. Adoption of the agenda and programme of work

7. After the election of the Chair-Rapporteur, the Working Group adopted the programme of work for its fourteenth session.

D. Statements

8. The representative of Pakistan, on behalf of the Organization of Islamic Cooperation, reaffirmed the latter's commitment to ensure the universal and effective

implementation of the Durban Declaration and Programme of Action. She noted that racial discrimination was the worst form of human rights violation, and expressed the Organization's concern regarding the prevalence and rise of contemporary forms of racism and racial discrimination worldwide, such as Islamophobia, which led to marginalization and stigmatization. She noted that 15 years after the adoption of the Durban Declaration and Programme of Action, the world was still facing enormous challenges despite all the achievements. She noted that tolerance, pluralism and respect for diversity were core values that could foster more inclusive societies.

9. The representative of South Africa, speaking on behalf of the African Group, noted that, despite progress in the fight against racism, racial discrimination, xenophobia and related intolerance, much remained to be done. She pointed to the negative impact that the legacy of slavery and colonialism had had on human dignity.

10. The representative of Brazil noted that all participants should take the opportunity to address the remaining challenges in order to make the International Decade for People of African Descent effective. She also pointed out that in 2015 Brazil had held the Regional Meeting of Latin America and the Caribbean on the International Decade for People of African Descent.

11. The representative of the European Union reiterated that organization's strong commitment to the fight against racism, racial discrimination, xenophobia and related intolerance worldwide. The representative noted that it cooperated with all relevant international organizations and emphasized that there was an ongoing dialogue with more than forty countries. The fight against racism was an issue that concerned the entire international community. Therefore, a multilateral approach was needed. Priority should be given to the effective implementation of existing international human rights law, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, in particular as its full implementation remained a challenge for many.

12. The representatives of Belgium and Italy supported the statement made by the representative of the European Union. Both representatives advocated for stronger efforts at the local, national and international levels with a view to combat racism. Therefore, the representatives of Italy and Belgium outlined several of their national experiences in combating racism and reiterated that their countries were fully committed to the implementation of the Durban Declaration and Programme of Action.

13. The representative of the Bolivarian Republic of Venezuela highlighted the important role the International Decade for People of African Descent could play as an important platform to raise awareness of the history, experiences and contributions of people of African descent.

14. The representative of Libya noted that there were issues that still needed to be addressed to ensure the elimination of racial discrimination. He expressed concerns regarding religious discrimination, in particular Islamophobia, and called for international cooperation in order to address discrimination against migrants.

15. The representative of the Dominican Republic, on behalf of the Community of Latin American and Caribbean States, reaffirmed the latter's commitment to eradicate racial discrimination. The representative underlined that the region was made up of a multi-ethnic, multicultural, multilingual and very diverse population. The Community of Latin American and Caribbean States supported the International Decade for People of African Descent, in particular the creation of a forum for people of African descent.

16. The representative of International-Lawyers.Org, a non-governmental organization, reiterated its support for the work of the Working Group. However, he was disappointed by the lack of initiatives on the occasion of the commemoration of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action. He noted that racism was a threat to peace, stability and human rights.

17. The representative of the International Youth and Student Movement for the United Nations urged non-governmental organizations to enhance all Durban follow-up mechanisms.

III. Discussion on the state of racial discrimination worldwide

18. Mr. Sunga referred to the previous report of the Working Group that had been submitted to the Human Rights Council at its thirty-first session in February 2016 (A/HRC/31/75). He noted that, despite the fact that some States had taken steps to improve the protection of the rights of people of African descent, considerable effort was still needed to improve the situation.

19. Fifteen years after the Durban Conference, the international community was witnessing an alarming increase in racism, "Afrophobia", racial discrimination, xenophobia and related intolerance. Furthermore, he expressed his concerns about racist discourse being increasingly used against migrants, refugees and asylum seekers by some politicians and political parties.

20. Mr. Sunga noted that the challenge was to ensure the effective implementation of the Durban Declaration and Programme of Action and the programme of activities for the implementation of the International Decade for People of African Descent and to maintain a specific focus on such people as a particular group. In that regard, he encouraged Member States to fully implement the programme of activities for the Decade.

21. Mr. Sunga underscored the role education must play in shedding new light on the contribution of persons of African descent when it comes to positive developments around the world. He stressed the need to eradicate negative stereotypes. Justice was an essential instrument in achieving reparations, which included elements of restitution, compensation and satisfaction.

22. Mr. Sunga noted the clear linkage between racism and poverty, and outlined that the poorest population group was disproportionately composed of people of African descent, and advocated for the establishment of a forum for people of African descent with the participation of all States, specialized agencies, civil society and all other stakeholders.

23. Finally, he pointed to the possibility of holding one of the sessions of the Working Group of Experts on People of African Descent somewhere other than Geneva with the goal of increasing the participation of civil society.

24. Ms. Santos Roland gave a presentation on data collection in Brazil and analysed the connection between race and political participation. She underscored the importance of collecting data in order to identify the issues that needed to be addressed, bearing in mind that lack of reliable information entailed difficulties in developing policy.

25. She noted that policies on affirmative action should be implemented in order to reverse the underrepresentation of persons of African descent in political life.

26. Ms. Suchocka pointed to the important role that education had to play in overcoming the prejudices that still existed in all societies and countries. Education at different levels, including specialized educational programmes, could be an important tool to combat hate speech and discrimination based on religion.

27. The Chair-Rapporteur shared with all participants a statement by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere.

28. Mr. Ruteere noted that xenophobia had become the currency with which political elites seek to purchase popular appeal as a preferred ticket to political power. In a context in which refugees and migrant movements were increasing, public fears over terrorism and economic pressures had been used by those keen on blaming refugees and migrants. He called for national measures, such as hate crime legislation and effective prosecutions, to combat xenophobic discrimination and violence. He underscored the importance of a contextualized examination of the problems in designing and implementing policies and programmes to promote diversity and inclusion.

29. During the discussion that followed, the representative of Brazil stressed the importance of collecting disaggregated data in order to identify how Governments could address structural discrimination and promote equality in a sustainable way.

30. The representative of South Africa noted that racism not only continued to exist, but that it was increasing. Xenophobia was an issue that affected all regions of the world. She noted that challenges still remained, while expressing her hope that during the present session the working group would move forward on enhancing efforts to combat racism.

31. The representative of the European Union pointed to the work that had been done in Europe in order to fight racism. The representative referred in particular to the development of a legal framework, the criminalization of hate speech and incitement to violence and, more recently, the appointment by the European Commission of coordinators on combating anti-Semitism and anti-Muslim hatred. The coordinators served as contact points for affected communities and cooperated by developing strategies to combat racism and hate speech.

32. The representative of Pakistan agreed that, despite all efforts, the problem of racism was growing and expanding across all regions.

IV. Discussion on measures to be taken to enhance the effectiveness of the follow-up mechanism to the Durban Declaration and Programme of Action and to ensure better synergies and complementarities in the work of these mechanisms, in accordance with paragraph 124 of the Outcome Document of the Durban Review Conference

33. In accordance with paragraph 13 of General Assembly resolution 70/140, the Working Group invited the group of independent eminent experts to participate in its fourteenth session with a view to ensure the effective participation and optimal utilization of its mandate. The Working Group and the group of independent eminent experts discussed challenges that the latter faced in effectively contributing to the fight against racism, racial discrimination, xenophobia and related intolerance and the full implementation of the Durban Declaration and Programme of Action.

34. Ms. Suchocka reminded participants that the group of independent eminent experts was established by the Durban Declaration and Programme of Action, however, its role had not been clearly described. There was a lack of clarity concerning its function and mandate, both as individuals and as a group.

35. The group of independent eminent experts could have contributed to various reports on racism, racial discrimination, xenophobia and related intolerance that had been submitted to the General Assembly and the Human Rights Council, but until then the group had not been involved in such work.

36. The individual roles of the independent eminent experts should also be decided upon, as well as the geographical areas that their individual mandates cover. Ms. Suchocka called for the appointment of the remaining experts in order to work more effectively. The mandate of the group should be comprehensively reviewed and amended with the inclusion of clear objectives.

37. There was a lack of coordination among the independent eminent experts and suggested that their roles could be organized in a different way in order to ensure that they were acting as a group. In that regard, she requested that human and financial resources should be made available for that purpose. She reminded participants that the Durban Programme of Action had mandated the independent eminent experts to follow up on its implementation, however, the human and material conditions for those tasks were not given.

38. The representative of the European Union asked what the added value of changing the mandate of the group of independent eminent experts would be. She also asked if it were indeed necessary to dedicate more resources to that end, as there were also other mechanisms in existence. The European Union was concerned that such an undertaking could lead to a duplication of functions.

39. The representative of the International Youth and Student Movement for the United Nations noted that one of the greatest problems was that the general public had not been made more aware of the Durban Declaration and Programme of Action. In order to do that, the independent eminent experts should play an increasing role in publicizing and spreading information about the Durban Declaration and Programme of Action, for instance, by attending meetings or going on country visits to engage with Governments and non-governmental organizations.

40. The representative of the European Union noted that more time should be given between the respective sessions of the Human Rights Council and the Working Group to allow better preparation and ensure optimal participation of the delegations. She underscored that there should be no duplication of work and that all the programmes should be harmonized. The European Union also proposed postponing consideration of agenda item 6 until a future session. She also suggested reducing the meeting days of the Working Group.

41. Several delegations recalled that it was necessary to establish a forum for people of African descent. The representative of the Bolivarian Republic of Venezuela supported the statements made by the representatives of Pakistan and South Africa. The forum could be a new venue to address issues that had not been discussed. He also reiterated his support for all existing mechanisms that addressed the struggle against racism. Several delegations discussed the necessary clarification of the mandate of the group of independent eminent experts.

V. Review of the progress achieved concerning the programme of activities for the implementation of the International Decade for People of African Descent

42. Ms. Suárez Cabrera presented a progress report on the achievements of Mexico in implementing measures to combat racism and racial discrimination, acknowledging that the launch of the International Decade for People of African Descent had been an important moment.

43. She emphasized the first-time inclusion of the category "persons of African descent" in the census in 2015. The census had contained a question that included elements of culture, history and tradition in order to count people who identified themselves as Afro-Mexicans or persons of African descent. According to that survey, there were 1.4 million people who identified themselves as Afro-Mexicans or persons of African descent, representing 1.2 per cent of the national population. She stressed that it was a fundamental step forward in making African descent visible.

44. National legal framework and policies to fight racism had been strengthened and that mechanisms had been established that dealt with reparation and non-repetition measures. Administrative measures had also been taken to address the structural causes of racism.

45. Progress had also been made in regional and local laws against discrimination; 31 of the 32 regions had anti-discrimination legislation. Also, most of them had local constitutional clauses that included provisions on discrimination on the basis of race, language, colour, and national or ethnic background.

46. Mexico had rolled out measures aimed at recognizing the collective rights of Afro-Mexican people. A national plan for equality and non-discrimination had been launched in order to ensure equal access to human rights and foster cultural change and add value to cultural diversity. Efforts had also been taken, with the support of academia, in order to revise the Mexican legal framework in order to identify and eliminate the remaining discriminatory standards and to recognize international human rights norms and standards.

47. A working group had been established to follow up on the recommendations of the Committee on the Elimination of Racial Discrimination and the provisions of the

programme of activities for the implementation of the International Decade for People of African Descent.

48. As regards achieving greater knowledge of the legacy and culture of people of African descent, she highlighted the creation of a national programme to conduct research on the cultural diversity and history of people of African descent. In addition, a network for interdisciplinary research on identity, racism and xenophobia had been launched, the mandate of which was focused on providing tools to formulate public policies to foster a culture of respect and diversity. The first site commemorating slavery within the context of the International Day for the Remembrance of the Slave Trade and its Abolition was recently established.

49. During the discussion that followed the presentation of the progress report, the representative of non-governmental organizations welcomed all the efforts and progress made in Mexico as it has been one of the last countries in South America to give formal recognition to people of African descent. He added that further efforts were needed.

50. The representative of the European Union noted that there were countries in Europe that had not recognized collective rights based on ethnicity.

51. The representative of South Africa emphasized the idea of self-identification and noted that in her country the term "black" referred to a wide group of different communities, such as mixed South Africans, and those of Asian and even European descent. She said that it was important to allow people to identify themselves in a way that promoted social cohesion.

52. Following the discussion on that topic, Ms. Diallo delivered her presentation on police violence and the media's representation of persons of African descent in France. She referred to Adama Traoré, who had died while in police custody. That case resembled a number of other cases that had occurred during the previous few years and had resulted in protests. She also talked about identity checks and their disproportionate focus on youth, in particular persons of African or Arab descent. A review of the identity checks had led to fewer complaints and more effective policing; however, the changes had been discontinued and there had been a return to old practices, she said.

53. The presentation also contained details of the portrayal of the non-white population in media, including the prevalence of negative stereotyping. A number of positive measures, such as quotas, were necessary to ensure increased representation in the media sector, including subsidies for the creation of diverse media outlets, public space for local associations established to combat racial discrimination and the use of appropriate phraseology, among other steps.

54. Ms. Cottias presented an overview of the linkages between slavery and colonialism, and racial discrimination, pointing out that the slavery introduced by colonial powers was racially biased. Slavery under colonialism built the racial categories currently known as "black" and "white", emphasizing that those terms were not used before the spread of colonialism. In that regard, she questioned the use of such a categorization, highlighting the need to deconstruct the power relations it entailed, which had been built up during that historical period.

55. She recommended paying particular attention to education, including that on past tragedies, such as slavery and the transatlantic slave trade. She believed that the International Decade for People of African Descent gave an excellent opportunity to build and share knowledge of the past.

56. Mr. McEachrane noted that the most comprehensive study on minority discrimination in Europe had shown that persons of African descent were, together with Roma, the most discriminated against group in the region. There had been an alarming increase in discrimination, such as extreme racial segregation of people of African descent and rampant police violence against African Americans. The negative and unfair legacies of colonialism had led to pervasive racial discrimination.

57. He emphasized that the International Decade for People of African Descent was not merely important for those of African descent, but could serve to break down racial

hierarchies and increase social cohesion and respect for human dignity and rights, without discrimination. He reminded all States not to treat discriminatory incidents as isolated events, but to address them as a structural problem, as was done in the Durban Declaration and Programme of Action and the International Convention on the Elimination of All Forms of Racial Discrimination.

58. He highlighted the importance of creating networks to assist the implementation of the International Decade for People of African Descent. The European, North American and Central Asian regional conference for the Decade could be an appropriate opportunity to further build and strengthen the relevant civil society networks and campaigns. He shared several recommendations on further progress in that regard.

59. The representative of the United States of America reaffirmed the country's commitment to promoting racial and ethnic equality to mark the International Decade for People of African Descent. The representative shared the country's experiences in a report on best practices to help law enforcement agencies, in which the authors examined the barriers to advancing diversity in law enforcement and highlighted promising practices in recruitment, hiring and retention. The report underlined the inauguration in 2016 of the National Museum of African American History and Culture, and other achievements in education and housing.

VI. Conclusions and recommendations

A. Discussion on the state of racial discrimination worldwide

60. **The Working Group:**

(a) **Reaffirms its commitment to the full and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action, the Outcome Document of the Durban Review Conference and the Political Declaration from the tenth anniversary of the Durban Declaration and Programme of Action. It also reaffirms the fundamental importance of universal accession to, or ratification of, the International Convention on the Elimination of All Forms of Racial Discrimination;**

(b) **Notes with deep concern that racism, racial discrimination, xenophobia and related intolerance have been increasing all over the world, and points out that efforts to combat their spread should be enhanced at international, regional and national levels;**

(c) **Recognizes that victims of racism, racial discrimination, xenophobia and related intolerance can suffer from multiple, aggravated or intersecting forms of discrimination based on other related grounds, such as age, sex, language, religion, political or other opinion, social origin, property, disability, birth or other status;**

(d) **Expresses its deep concern about continued religious intolerance against certain religious communities, as well as the emergence of hostile acts and violence against such communities because of their religious beliefs and their racial or ethnic origin in various parts of the world, which in particular limit their right to freely practice such beliefs;**

(e) **Also expresses concern with regard to the increase of hate speech, hate crimes, neo-Nazism, neo-Fascism and violent nationalist ideologies based on racial or national prejudice in all parts of the world, which fuel contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in particular against migrants, refugees and asylum seekers;**

(f) **Stresses the need to counter extremist political parties, movements and groups, and invites Member States to develop a comprehensive approach based on a solid legal framework, complemented by other measures, including key policy measures such as education and awareness-raising programmes, and a victim-centred approach;**

(g) **Calls upon Member States to elaborate and implement short-, medium- and long-term effective measures to prevent and combat racism, racial discrimination, xenophobia and related intolerance, including national strategies and/or action plans to address challenges and bring positive change on the ground;**

(h) **Underlines the key role that politicians and political parties can play in combating racism, racial discrimination, xenophobia and related intolerance and encourages political parties to take concrete steps to promote equality, solidarity and non-discrimination in society, inter alia, by developing voluntary codes of conduct that include internal disciplinary measures for violations thereof, so their members refrain from public statements and actions that encourage or incite racism, racial discrimination, xenophobia and related intolerance;**

(i) **Recalls that manifestations of xenophobia and religious intolerance violate the core principles of human rights. It invites Member States to adopt effective measures to combat xenophobia and religious intolerance, in particular against migrants, refugees and asylum seekers;**

(j) **Urges Member States to implement paragraph 150 of the Durban Programme of Action;**

(k) **Also urges Member States to collect, compile, analyse, disseminate and publish reliable statistical data at the national and local levels, and to undertake all other related measures that are necessary to assess regularly the situation of individuals and groups of individuals who are victims of racism, racial discrimination, xenophobia and related intolerance. Such statistical data should be disaggregated in accordance with national legislation. Any such information shall, as appropriate, be collected with the explicit consent of the victims based on their self-identification and in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees. This information must not be misused;**

(l) **Invites Member States to implement effective measures, in accordance with article 5 (c) of the International Convention on the Elimination of All Forms of Racial Discrimination, ensuring equality with regard to political rights, in particular the rights to participate in elections — to vote and to stand for election — on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;**

(m) **Reaffirms that cultural diversity is an asset for the advancement and welfare of humanity at large and should be valued, enjoyed, genuinely accepted and embraced as a permanent feature that enriches our societies.**

II. Measures to be taken to enhance the effectiveness of the follow-up mechanism to the Durban Declaration and Programme of Action and to ensure better synergies and complementarities in the work of these mechanisms, in accordance with paragraph 124 of the Outcome Document of the Durban Review Conference

61. **The Working Group:**

(a) **Recalls its conclusions and recommendations, made during its seventh session, on its effectiveness in the framework of Human Rights Council resolution 16/12;**

(b) **Requests that the necessary arrangements be made to ensure that there is sufficient time between its sessions and those of the Human Rights Council to allow for better preparation and to ensure optimal participation. In this regard, it requests that the Office of the United Nations High Commissioner for Human Rights (OHCHR), after consultation with conference services at the United Nations Office at Geneva, propose new dates for the upcoming session of the Working Group;**

(c) Decides to invite the members of all the relevant mechanisms to participate in its annual sessions to discuss issues pertaining to the fight against racism, racial discrimination, xenophobia and related intolerance, including the challenges they face in their work;

(d) Recommends that OHCHR continue to facilitate the participation of experts in the annual sessions of all the Durban follow-up mechanisms, and to provide advice with a view to contribute to discussions on the implementation of the Durban Declaration and Programme of Action;

(e) Invites Member States, international and non-governmental organizations and individuals, as well as donors in a position to do so, to contribute to this end, thereby undertaking activities for the effective implementation of the Durban Declaration and Programme of Action;

(f) Invites OHCHR to take measures in accordance with paragraph 193 of the Durban Programme of Action for the appointment and designation of goodwill ambassadors in all countries of the world in order, inter alia, to promote respect for human rights and a culture of tolerance and to increase the level of awareness of the scourge of racism, racial discrimination, xenophobia and related intolerance;

(g) Urges the High Commissioner for Human Rights to continue his efforts to increase awareness of racism, racial discrimination, xenophobia and related intolerance and to encourage his Office to intensify its collaboration with international and regional bodies dealing with the fight against these phenomena;

(h) Recognizes the importance of continued efforts aimed at improving the efficiency and effectiveness of Durban follow-up mechanisms, and commits to increase efforts aimed at avoiding overlapping and/or duplication of initiatives;

(i) Decides to keep this agenda item under consideration.

C. Review of progress achieved concerning the implementation of recommendations adopted by the Working Group at its previous session

62. The Working Group:

(a) Takes note of the various contributions made by Member States under this agenda item;

(b) Reaffirms the importance of assessing the level of implementation of its recommendations, sharing practices and discussing challenges and the way forward. The Working Group encourages Member States to make full use of the opportunity offered by discussion of this agenda item;

(c) Decides that, with a view to better structure the discussions under this agenda item, for its future session, it will engage in such a discussion on the basis of a working document prepared by OHCHR. Such a document should include a compilation of the implementation by Member States and other relevant stakeholders of recommendations from the previous session and an outline/analysis of major trends and challenges;

(d) Requests, in this regard, that OHCHR circulate the report after each session and invite all Member States, international and regional organizations, national human rights institutions and equality bodies, and civil society organizations to submit relevant information to serve as a basis for discussions;

(e) Reaffirms the importance of the recommendations on the commemoration of the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action;

(f) Recognizes that much remains to be done to commemorate the fifteenth anniversary of the Durban Declaration and Programme of Action and invites Member

States, OHCHR, civil society and all other actors to engage with efforts to commemorate — in a highly visible manner — the fifteenth anniversary of the adoption of the Durban Declaration and Programme of Action.

II. Review of the progress achieved concerning the programme of activities for the implementation of the International Decade for People of African Descent

65. The Working Group:

(a) Welcomes steps taken to implement the programme of activities for the implementation of the International Decade for People of African Descent, including those contained in the report of the Secretary-General to the General Assembly (A/71/296);

(b) Calls, in accordance with the political declaration adopted during the commemoration of the tenth anniversary of the Durban Declaration and Programme of Action and the proclamation of the International Decade for People of African Descent, for a stronger manifestation of political will in combating racism, racial discrimination, xenophobia and related intolerance against people of African descent;

(c) Encourages Member States that have not already done so to establish national legislative frameworks and develop national policies and mechanisms for people of African descent, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, the Durban Declaration and Programme of Action and the programme of activities for the implementation of the International Decade for People of African Descent. In this regard, the Working Group urges Member States, as appropriate, to revise their legislation and/or repeal discriminatory effects therein, and adopt public policies aiming at promoting and protecting all the human rights of people of African descent;

(d) Also encourages Member States to take positive measures to eliminate the conditions that cause or contribute to the perpetuation of racial discrimination against, and exclusion of, people of African descent in all spheres of public life, including the adoption of, where appropriate, policies on affirmative action in the Member States in which they live, and to pay particular attention to the situation of women and girls of African descent who face compounded forms of discrimination;

(e) Further encourages Member States that have not yet done so to seize the opportunity offered by the International Decade for People of African Descent to elaborate — in order to address the human rights situation of people of African descent — national action plans against racial discrimination aiming at removing obstacles to the enjoyment of their human rights;

(f) Encourages Member States to establish mechanisms to follow up and implement recommendations relating to people of African descent emanating from international mechanisms such as the Committee on the Elimination of Racial Discrimination and other treaty bodies, Special Procedures, the universal periodic review and relevant regional mechanisms;

(g) Also encourages Member States to promote activities aimed at promoting greater knowledge of, and respect for, the culture, history and heritage of people of African descent and to take all the necessary measures to give full effect to the rights of people of African descent to equal access to all levels and forms of quality education without discrimination. In this regard, it reiterates all its relevant recommendations adopted during its ninth session with regard to the role of education in combating racism, racial discrimination, xenophobia and related intolerance;

(h) Re-emphasizes the important role of formal and non-formal education in deconstructing prejudices, overcoming negative perceptions, and enhancing understanding and social cohesion. To this end, it encourages Member States to implement educational activities and measures, including human rights training at

various levels and in different sectors, to prevent and combat effectively racism, racial discrimination, xenophobia and related intolerance;

(i) Encourages Member States to ensure that history is accurately portrayed in education so as to avoid stereotypes and distortion or falsification of historical facts, which may lead to racism, racial discrimination, xenophobia and related intolerance;

(j) Notes the complex linkages between education and identity-building and conflicts. In this regard, it encourages Governments to ensure that textbooks and other educational materials accurately reflect historical facts, as they relate to past tragedies and atrocities, in particular those falling within the categories listed in paragraph 99 and other relevant paragraphs of the Durban Declaration;

(k) Reaffirms that racial discrimination in the administration of justice subverts the rule of law, undermines faith in the legal system and results in victimization of people of African descent by the very institutions responsible for their protection. They all too often experience discrimination in access to justice and face alarmingly high rates of police violence, with racial profiling acting as an aggravating factor during sentencing. The Working Group reminds Member States that these practices are unlawful and constitute a violation of human rights, and the necessary steps should be taken accordingly to combat racial discrimination against people of African descent at all stages of the justice system;

(l) Recommends to the President of the Human Rights Council that in 2017 the theme of the International Day for the Elimination of Racial Discrimination should be racial discrimination in the administration of justice;

(m) Acknowledges that various actors have a positive role to play in combating racism, racial discrimination, xenophobia and related intolerance and, more specifically, in the programme of activities for the implementation of the International Decade for People of African Descent. It recognizes that among these actors, the media and other principal actors, such as the national human rights institutions and equality bodies and law enforcement institutions, have a crucial role to play in the fight against racism, racial discrimination, xenophobia and related intolerance. It remains convinced that these institutions — with a view to fully fulfilling their role with regard to combating racism and effectively addressing the needs of discriminated groups, such as people of African descent — should be as diverse as the society in which they operate;

(n) Takes note of the various recommendations made by panellists with regard to the role of media in realizing the objectives of the International Decade for People of African Descent, and shares the view that further efforts should be undertaken with a view to addressing several important issues related to it, such as the under-representation of people of African descent in the media, the stigmatization of people of African descent and other minority communities in the media, the lack of adequate responses to racist or hate speech, capacity-building for media professionals to enable them to be more responsive to such speech and also the need to enlist the help of goodwill ambassadors and strong media personalities to reverse the prevailing practices in the media sector;

(o) Encourages OHCHR to strengthen its capacity-building activities directed to the media, in particular with regard to combating hate speech and incitement to violence and racial hatred;

(p) Decides that the role of media needs to be analysed further and should be discussed at one of its future sessions;

(q) Expresses its gratitude to the Government of Brazil for hosting and facilitating the Regional Meeting of Latin America and the Caribbean on the International Decade for People of African Descent, and takes note of the outcome document of the meeting, in which representatives agreed to a number of important conclusions;

(r) **Encourages OHCHR, together with the countries of the regions and their respective regional organizations, to start preparations for the next regional meeting for Europe, Central Asia and North America. It also encourages the organizers to involve civil society organizations in such preparations and to make sure that all steps are taken to maximize participation;**

(s) **Regrets that since the launch of the International Decade for People of African Descent, the trust/special funds established by the General Assembly, which will allow for funding of activities not covered by the budgets already allocated, remain inactive due to lack of contributions. It encourages all Member States, intergovernmental and non-governmental organizations, private institutions and individuals, and other donors in a position to do so, to contribute generously to the programme of activities for the implementation of the International Decade for People of African Descent;**

(t) **Emphasizes that the establishment of a forum for people of African descent should take place as a matter of priority and urgency, and that financial support should be provided so as to guarantee the wide participation of civil society organizations from all regions in such a forum. It recommends to the Human Rights Council to allocate two or three days of the Working Group's annual sessions to this forum, in accordance with paragraph 29 (i) of the programme of activities for the implementation of the International Decade for People of African Descent.**

Annex I

List of attendance

Member States

Algeria, Argentina, Belgium, Botswana, Brazil, Burundi, China, Colombia, Congo, Cuba, Czechia, Dominican Republic, Finland, France, Greece, Guatemala, Haiti, Italy, Japan, Kenya, Kuwait, Latvia, Libya, Malaysia, Mexico, Morocco, Namibia, Pakistan, Panama, Portugal, Qatar, Russian Federation, Rwanda, Sierra Leone, Slovakia, South Africa, Syrian Arab Republic, Tajikistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zimbabwe

Non-member States represented by observers

Holy See, State of Palestine

International Organizations

African Union, European Union

Non-governmental organizations in consultative status with the Economic and Social Council

A World Citizen, African Commission of Health Promoters and Human Rights, Arab Commission for Human Rights, Baha'i International Community, International Lawyers, International Youth and Student Movement for the United Nations, Organization of Islamic Cooperation, Rencontre africaine pour la défense des droits de l'homme, World against Racism Network

Annex II

Programme of work

Time	*Wednesday 5 October 2016*	*Thursday 6 October 2016*	*Friday 7 October 2016*
Morning session: from 10:00 to 13:00	Item 1: Opening of the session Item 2: Election of the Chair-Rapporteur Item 3: Adoption of the programme of work Item 4: General statement by States and regional groups Statement by civil society organizations Item 5: Discussion on the state of racial discrimination worldwide Presentations by: Ricardo Sunga III, Chair of the Working Group of Experts on People of African Descent Hanna Suchocka and Edna Maria Santos Roland, independent eminent experts	Item 7: Discussion on conclusions and recommendations under items 5 and 6	Item 7 (continued)
Afternoon session: from 15:00 to 18:00	Item 6: Discussion on measures to be taken to enhance the effectiveness of the follow-up mechanism to the Durban Declaration and Programme of Action and to ensure better synergies and complementarities in the work of these mechanisms, in accordance with paragraph 124 of the Outcome Document of the Durban Review Conference Presentations by: Ricardo Sunga III Hanna Suchocka Edna Maria Santos Roland	Item 7 (continued)	

Time	*Monday* *10 October 2016*	*Tuesday* *11 October 2016*	*Wednesday* *12 October 2016*	*Thursday* *13 October 2016*	*Friday* *14 October 2016*
Morning session: from 10:00 to 13:00	Item 8: Review of the progress achieved concerning the programme of activities for the implementation of the International Decade for People of African Descent Presentations by: Julia Suárez Cabrera, Director of Legislative Analysis and International Affairs at the National Council for the Prevention of Discrimination of Mexico Rokhaya Diallo, writer and film director	Item 8 (continued) Presentations by: Myriam Cottias, historian Michael McEachrane, scholar and activist in the area of human rights and anti-racism	Item 10 (continued)	Item 11: Discussion and adoption of the conclusions and recommendations of the fourteenth session	Preparation of the report
Afternoon session: from 15:00 to 18:00	Item 8 (continued)	Item 9: Review of progress achieved concerning the implementation of recommendations adopted by the Working Group at its previous session Item 10: Discussion on the conclusions and recommendations under items 5, 6, 8 and 9	Item 10 (continued)	Preparation of the report	Adoption of the report